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To: **COMMISSIONER FOR PATENTS** **From:** Douglas C. Murdock

Fax: 571-273-8300 **Date:** March 13, 2009

Phone: 571-272-1000 **Pages:** 9 (including cover page)

Re: **RESPONSE TO FINAL OFFICE ACTION**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Comments:

USSN: 10/614,637 **Filing Date: 7 JULY 2003** **Atty. Docket No.: AND-1001-DV2**
Title: DEVICES COMPRISING ARTIFICIAL ANTIGEN -PRESENTING CELLS

Dear Sir:

Enclosed for filing are the following documents:

1. Transmittal (1 page);
2. Amendment in Response to Office Action;
3. Courtesy Copy Notice of Non-Complaint Amendment.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Douglas C. Murdock (Reg. No.: 37,549)

PLEASE CONFIRM RECEIPT BY RETURN FACSIMILE

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PTO/SB/21 (02-08)

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 9

Application Number	10/614,639
Filing Date	07-07-2003
First Named Inventor	Salvatore Albani
Art Unit	1644
Examiner Name	Gerald R. Ewoldt

Attorney Docket Number AND-1001-DV2

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Courtesy Copy of Notice of Non-Compliant Amendment 2. Amendment in Response to Office Action 3. Fax Cover Sheet
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Remarks
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BioTechnology Law Group		
Signature			
Printed name	Douglas C. Murdock		
Date	March 13, 2009	Reg. No.	37549

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		Date	3-13-09
Typed or printed name	Irene Betke		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,639	07/07/2003	Salvatore Albani	AND-1001-DV2	8214
35918	7590	03/03/2009		
Biotechnology Law Group c/o Portfolioip P.O. Box 52050 Minneapolis, MN 55402			EXAMINER	
			EWOLDT, GERALD R	
			ART UNIT	PAPER NUMBER
			1644	
			MAIL DATE	DELIVERY MODE
			03/03/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 10/614,639	Applicant(s) ALBANI, SALVATORE
	Examiner G. R. Ewoldt, Ph.D.	Art Unit 1644
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
<p>The amendment document filed on _____ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.</p> <p>THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. Amendments to the specification: <ul style="list-style-type: none"> <input type="checkbox"/> A. Amended paragraph(s) do not include markings. <input type="checkbox"/> B. New paragraph(s) should not be underlined. <input type="checkbox"/> C. Other _____ <input type="checkbox"/> 2. Abstract: <ul style="list-style-type: none"> <input type="checkbox"/> A. Not presented on a separate sheet. 37 CFR 1.72. <input type="checkbox"/> B. Other _____ <input type="checkbox"/> 3. Amendments to the drawings: <ul style="list-style-type: none"> <input type="checkbox"/> A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). <input type="checkbox"/> B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. <input type="checkbox"/> C. Other _____ <input checked="" type="checkbox"/> 4. Amendments to the claims: <ul style="list-style-type: none"> <input type="checkbox"/> A. A complete listing of all of the claims is not present. <input type="checkbox"/> B. The listing of claims does not include the text of all pending claims (including withdrawn claims). <input type="checkbox"/> C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). <input type="checkbox"/> D. The claims of this amendment paper have not been presented in ascending numerical order. <input checked="" type="checkbox"/> E. Other: <u>One listing of claims is required consisting of amended (showing changes) and pending claims.</u> <u>Applicant cannot submit a separate amended and "clean version" of claims.</u> <input type="checkbox"/> 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): 		

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/G.R. Ewoldt/ Primary Examiner, Art Unit 1644	
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